



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Simona Fava, et al. Examiner: G. Letscher
Serial No. 10/697,513 Group Art Unit: 1752
Filed: October 30, 2003 Docket No. 01024US01
Title: SILVER HALIDE TABULAR GRAIN EMULSION


MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

- ☒ Form PTOL-85B (1pg), plus one copy
- ☒ Communication Re: Issue Fee Transmittal, with Authorization for Fees
- ☒ Copy of Notice of Allowance and Issue Fee Due, Notice of Allowability, Examiner's Amendment, Notice of References Cited, Examiner signed 1449 (2) and Determination of Patent Term Adjustment
- ☒ Transmittal Sheet
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers if an additional extension of time is deemed necessary by the Office. Authorization is hereby given to charge Deposit Account Number 50-1391 if such additional extension is necessary.

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205, 3209 W. 76th St.
Edina, MN 55435 (952-832-9090)

By: 
Atty: Mark A. Litman
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

Mark A. Litman
Name


Signature



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COMMUNICATION RE: ISSUE FEE TRANSMITTAL

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the "Notice of Allowance and Issue Fee Due", dated Dec. 1, 2004, (see enclosed copy), we submit the signed Issue Fee Transmittal along with authorization to withdraw \$1,400.00 from Deposit Account No. 50-1391 for the issue fee, and \$300.00 for the publication fee.

Applicant assumes the application is now in proper order and in condition for issuance.

Please direct any inquiries to the undersigned attorney at (952) 832-9090.

Respectfully submitted,

SIMONA FAVA, et al.

By Their Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.
York Business Center, Suite 205
3209 West 76th Street
Edina, Minnesota 55435
(952) 832-9090

Date: January 24, 2005

By: 

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Notice of Allowability

COPY

Application No.	Applicant(s)	
10/697,513	FAVA ET AL.	
Examiner	Art Unit	
Geraldine V Letscher	1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to papers filed 10-30-03 & 6-1-04.
- ☒ The allowed claim(s) is/are 1-10.
- ☐ The drawings filed on _____ are accepted by the Examiner.
- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - ☒ All
 - ☐ Some*
 - ☐ Noneof the:
 - ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>10-30-03&6-1-04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

GERALDINE LETSCHER
PRIMARY EXAMINER
GROUP 1100

Prior Art

1. The following prior art made of record and not relied upon is considered pertinent to applicants' disclosure: U.S. Patent Nos. 6,696,235 and 6,395,464.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

While the prior art would make obvious the silver halide radiographic element comprising a support having thereon at least one silver halide emulsion layer comprising a silver halide emulsion comprising tabular grains having each of the claimed average thickness, average diameter and aspect ratio values, said art does not, in fact, disclose or teach such tabular silver halide grains further characterized by having a coefficient of thickness variation and a coefficient of diameter variation as claimed by applicants. Applicants have clearly demonstrated herein the specification that significant unexpected photographic advantages with respect to speed and contrast are realized with the inventive silver halide radiographic element containing the inventive silver halide tabular grain emulsion characterized by the combination of the claimed thickness, diameter and aspect ratio, WITH a coefficient of thickness variation less than twenty-five percent AND a coefficient of diameter variation within the range of thirty-one to forty-four percent, versus comparative samples containing a coefficient of diameter variation less than thirty-one percent, or comparative samples containing a coefficient of thickness variation greater than twenty-five percent.

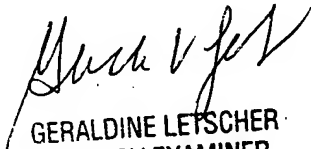
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

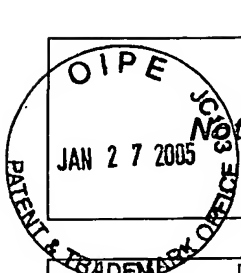
3. Claims 1-10 are allowed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geraldine V Letscher whose telephone number is (571) 272-1334. The examiner can normally be reached 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (571) 272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALDINE LETSCHER
PRIMARY EXAMINER
GROUP 1100



Notice of References Cited

Application/Control No.

10/697,513

Applicant(s)/Patent Under
Reexamination
FAVA ET AL.

Examiner

Geraldine V Letscher

Art Unit

1752

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,696,235	02-2004	Miki, Masaaki	430/567
	B	US-6,395,464	05-2002	Suzuki et al.	430/567
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.